

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ADEL SHESHTAWY, Individually and On Behalf
of All Others Similarly Situated,

Plaintiff,

- against -

CHINA SUNERGY CO., LTD., TINGXIU LU,
JIANHUA ZHAO, JAMES SHAOFENG QI,
GUANGYOU YIN, FENGMING ZHANG,
SHILIANG GUO, MERRILL LYNCH, PIERCE,
FENNER & SMITH INC., COWEN and COMPANY,
LLC, and JEFFERIES & COMPANY, INC.,

Defendants.
----- X

Civil Action No. 07-cv-08656 (DAB)

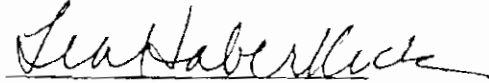
**STIPULATION AND ORDER
EXTENDING TIME TO
RESPOND TO COMPLAINT**

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel, that Defendant China Sunergy Co., Ltd. need not answer, move or otherwise respond to the present Complaint filed in this action until after such time as the Court appoints a lead plaintiff and lead counsel pursuant to 15 U.S.C. § 78u-4(a)(3)(B). The parties anticipate that the instant case will ultimately be consolidated with two related cases presently pending before this Court, *Brown v. China Sunergy, et al.*, 07-cv-07895 (DAB) and *Giombetti v. China Sunergy, et al.*, 07-cv-09689 (DAB), and a briefing schedule will be agreed upon by the Court appointed lead counsel and counsel for defendants.

Dated: New York, New York
January 17, 2008



Evan J. Smith (ES3254)
BRODSKY & SMITH, LLC
240 Mineola Blvd.
Mineola, NY 11501
Tel: (516) 741-4977
Fax: (516) 741-0626



Lea Haber Kuck (Bar No. LK5556)
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
Four Times Square
New York, NY 10036
Tel: (212) 735-3000
Fax: (212) 735-2000

Of Counsel:

Richard A. Maniskas
D. Seamus Kaskela
SCHIFFRIN BARROWAY TOPAZ &
KESSLER LLP
280 King of Prussia Road
Radnor, PA 19087
Tel: (610) 667-7706
Fax: (610) 667-7056

Frances P. Kao
Donna L. McDevitt
Ryan A. Horning
SKADDEN, ARPS, SLATE,
MEAGHER & FLOM LLP
333 West Wacker, Suite 2100
Chicago, IL 60606
Tel: (312) 407-0700
Fax: (312) 407-0411

Attorneys for Plaintiff

*Attorneys for Defendant
China Sunergy Co., Ltd.*

SO ORDERED:



HONORABLE DEBORAH A. BATTS
UNITED STATES DISTRICT JUDGE